

Harrington Park  
ZONING BOARD OF ADJUSTMENT  
**REGULAR MEETING MINUTES**

Wednesday, February 26, 2020 @ 7:00PM

**REGULAR MEETING**

**Vice Chair called the meeting to order at 7:01PM.**

**Open Public Meeting Act Announcement:** In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It has been posted on the Bulletin Board in the Municipal Center. Copies have been mailed to THE RECORD, NORTHERN VALLEY PRESS, and the NORTH JERSEY SUBURBANITE. A copy has been filed with the Borough Clerk and copies have been mailed to individuals requesting the same.

**ROLL CALL**

<b>Roll Call</b>	<b>PRESENT</b>	<b>ABSENT</b>
(RM) Chairman Richard McLAUGHLIN		X
(MR) Vice Chair Michael ROTH	X	
(JP) John POWERS	X	
(RB) Robert BUDINICH		X
(JC) Jin CHO	X	
(SL) Steve LOTT	X	
(SM) Stephen MARTINEZ		X
(GZ) Gail ZACCARO (alternate a)	X	
(RF) Robert FRANK (alternate b)	X	

Also present: (JS) John Schettino, Board Attorney  
(EL) Elizabeth Leheny, Board Planner (Phillips Preiss)  
(CL) Carolyn Lee, Land Use Secretary

**MINUTES FOR APPROVAL**

January 22, 2020 minutes

<b>Vote to approve January 22, 2020 minutes</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN						X
Vice Chair Michael ROTH			X			
John POWERS		X	X			
Robert BUDINICH						X
Jin CHO			X			

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Steve LOTT			X			
Stephen MARTINEZ						X
Gail ZACCARO (alternate a)	X		X			
Robert FRANK (alternate b)			X			

**INVOICES FOR APPROVAL**

Law Office of John L. Schettino	Meeting attendance 12/18/2019	\$ 150.00
Law Office of John L. Schettino	Resolution – 44 Rugen Dr. 12/31/2019	\$ 250.00
		TOTAL \$ 400.00

<b>Vote to approve invoices listed for approval.</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Chairman Richard McLAUGHLIN						X
Vice Chair Michael ROTH			X			
John POWERS		X	X			
Robert BUDINICH						X
Jin CHO			X			
Steve LOTT			X			
Stephen MARTINEZ						X
Gail ZACCARO (alternate a)	X		X			
Robert FRANK (alternate b)			X			

**HEARINGS**

1. 4 Park Street – 4 additional residential apartments in Industrial zone (Glenn and Jamie Quantmeyer)

The Board's Planner and Engineer submitted review reports.

Glenn Quantmeyer, 4 Park Street, Apt. A, Harrington Park, NJ was sworn in. The application is for the change of use for the property located at 4 Park St. in Harrington Park. Mr. Quantmeyer gave a history of the property. The building was built in the 1959 or 1960 and has been a bank ever since. On July 23, 2018 he received notice from the bank that after

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10 years that they were leaving the premise on August 18, 2018. Mr. Quantmeyer initiated soliciting financial institutions to rent the property. He did it on his own for the first 6 months and the last 11 months by a commercial broker with no success. He still has 2 more months with the broker. During these 2 months he is going before the board. He has tried to lease the property for 19 months unsuccessfully for a bank or other type of tenant for the space. He has also put the building up for sale as well.

Mr. Quantmeyer is applying for a change of use switching to residential because the commercial atmosphere is not successful. The application includes a set of plans. In 1999, the property was approved for a mixed use. There are 2 studio apartments upstairs and will remain studio apartments. All apartments Mr. Quantmeyer has built are intended for single or a couple with no children so it would not put a demand on the school system. The tenant for the downstairs office left last month. Because of the size, it will be 3 bedrooms. Mr. Quantmeyer stated that there will be 3 apartments with 1 bedroom each on the upper (bank) floor. JS asked EL if there were any COAH obligations. She explained there is not because there are 4 units in the application and not 5 units as written in the ordinance. There are no exterior changes. If approved, the drive up macadam would be removed, reducing impervious surface. EL noted in 1999 a variance was granted for 2 apartments that included variances granted for impervious surface and front setback. The Board requires an entire zoning schedule that includes all setbacks by an architect. The front of the building is Park St. Across the street is 1 Park St. and 11 Park St. that are mixed use. Behind is 18 Park Street that is a 2 family house with a garage. Directly behind is 76 Schraalenburgh Rd. is office and retail. Adjacent is a repair garage on Schraalenburgh Rd.

Elizabeth Leheny (EL), Phillips Preiss, 33-41 Newark Street, Hoboken, NJ, Board Planner was sworn in. EL classified the property as mixed use. For a D1 use variance you would determine if this area is suited for this type of use. Another aspect is if there is undue hardship it being used as permitted uses. This would require determining if there is a hardship. She reviewed that Mr. Quantmeyer tried to lease or sell the property for 2 years with the zoning and has not been able to. He has made a good faith effort to tenant in accordance with the zoning. What impact would changing the use have on the neighborhood? There are properties that are intended for mixed use. She was unaware that 18 Park was a 2 family. The garage is a warehouse. There are properties near by that are intended to be rezoned for residential or mixed use to allow for affordable housing to be built. There would be no negative impact to the master plan. You can make an argument that retail has changed over the past 10 or 20 years and this may not be the optimal place for a commercial building as it once was when it was initially zoned. You can argue that circumstances have changed and zoning has not kept pace with the change.

SL asked why doesn't the Planning Board decide? JS noted that the Mayor and Council make changes to zoning. It would go to the Planning Board for review and go back to the Mayor and Council. If they do not, the owner can come before the Board of Adjustment to ask for relief from the code. The trend has been toward residential and not toward retail.

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Mr. Quantmeyer said the safe room would be a walk-in closet and the vault door will remain as a piece of art. The 3 apartments will be accessed through the bank floor main entrance. The fire enclosed stair tower which leads to the apartments upstairs and will feed the downstairs apartments will remain. The 3 apartments are 1 bedroom type apartments. One of the apartments will be an accessible apartment as required by law.

The lower level is partially below grade. Mr. Quantmeyer stated that the lower apartment can be one apartment as long as there are 2 forms of egress. There is the main entrance which is the fire tower and there is a separate grade level set of stairs that goes to Schraalenburgh Rd. As long as both forms of egress goes into a common area it is permissible without an egress window. The other building code question is the 3 bedrooms as long as it has proper air flow between them, they are not required to have windows.

The utility room is the existing utility room. Because it was a bank, all the electrical meters and gas meters are in the building for security purposes. All are individual meters. All water heaters and air blowers for the HVAC units for the bank floor and the one for downstairs. The extra storage room is a concrete room supporting the vault above it. There won't be access to it. There will be a panic door and would not be used as an entrance or exit. JP asked if an alarm would go off if the door was opened. Mr. Quantmeyer said that is not required.

MR asked if the apartments would be sold. Mr. Quantmeyer said it would be a landlord owner rental situation and not condominiums. JS said this is for a use variance for residential use. Mr. Quantmeyer would prefer to have a single tenant. The only thing that makes it a problem with the lower level is that he can not do anything but one apartment, because of the egress requirements.

Mr. Quantmeyer addressed the comments from the engineer's letter. There are 20 spots. 19 parking spot with one handicap spot. The handicap spot is not large enough from satellite view. Mr. Quantmeyer would make the handicap spot to current requirements. Since he is closing up the drive-up window, he might shift the handicap spot closer to the building and add one more spot. Mr. Quantmeyer will get this change in the updated plans. The engineering letter indicated that there is ample parking. The planner's report discussed reducing the parking spots, but the issue is if it reverts back to a commercial building. The parking lot runs downhill to the building and the water runs out to the street. He doesn't have the width to make it narrower. The only thing is to take out spots from the top and may not benefit anyone at this point. Mr. Quantmeyer noted that there are cars parked on the property because the repair shop and the apartments are using the spots.

MR opened the meeting to the public. There was no one in the meeting. MR closed the meeting to the public.

The Board is going to visit the site. Mr. Quantmeyer will be in town the next 5 days if anyone wants to see inside the building. In the interim, Mr. Quantmeyer will submit revised

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plans to include zoning schedule, include any changes to the driveway and the size of the handicap parking spot and dimensions of the rooms.

There was discussion about other options for the floor plan, windows and plumbing for the 3 bedroom apartment.

The engineer letter recommended that the unenclosed trash area should have privacy fencing and privacy gates to screen that area. Mr. Quantmeyer commented that the garbage workers usually do not put the dumpsters back into the enclosed area. The parking lot is on an incline and the dumpster may roll down. JS noted that this would converting this to a residential development and people are not use to a visible dumpster. Mr. Quantmeyer noted that the dumpster is in the ground. There is a 4 ft retaining wall on 3 sides. Mr. Quantmeyer can put up a set of gates. The engineer can discuss in the next meeting.

**MEETING OPEN/CLOSED TO THE PUBLIC**

The meeting was opened and closed to members of the public. There were no members of the public attending the meeting.

**OLD/NEW BUSINESS**

There was no old and no new business.

**ADJOURN**

Vote to adjourn the meeting.

Motion: JP Second: GZ

In favor, all said “aye”. None opposed.

**Meeting adjourned at 7:35pm.**

NEXT SCHEDULED ZONING BOARD OF ADJUSTMENT  
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**Wednesday, March 25, 2020 at 7pm**